

CHAPTER NO. 990

HOUSE BILL NO. 2307

By Representative Kent

Substituted for: Senate Bill No. 2613

By Senator Haynes

AN ACT to amend Tennessee Code Annotated, Section 12-4-106, relative to contracts for professional services.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 12-4-106(a) is amended by designating the existing language as (a)(1), and by adding the following language to be designated as (a)(2):

(2) In the procurement of architectural and engineering services, the selection committee/procurement official may seek qualifications and experience data from any firm(s) licensed in Tennessee and interview said firm(s). The selection committee/procurement official shall evaluate statements of qualifications and experience data regarding the procurement of architectural and engineering services, and shall conduct discussions with firm(s) regarding the furnishing of required services and then shall select the firm deemed to be qualified to provide the services required.

The selection committee/procurement official shall negotiate a contract with the qualified firm for architectural and engineering services at compensation which the selection committee/procurement official determines to be fair and reasonable to the government. In making such determination, the selection committee/procurement official shall take into account the estimated value of the services to be rendered, the scope of work, complexity and professional nature thereof.

Should the selection committee/procurement official be unable to negotiate a satisfactory contract with the firm considered to be qualified, at a price determined to be fair and reasonable, negotiations will continue with other qualified firm(s) until an agreement is reached.

A city, county or utility district having a satisfactory existing working relationship for architectural or engineering services may expand the scope of the services, provided they are within the technical competency of the existing firm, without exercising the provisions of this section.

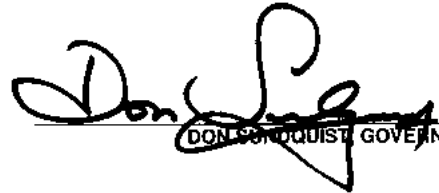
SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: April 29, 1998


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 18th day of May 1998


DON SNODGRASS, GOVERNOR